

1 Jon D. Universal, SBN 141255
2 juniversal@uswlaw.com
3 James P. Mayo, SBN 169897
4 jmayo@uswlaw.com
5 firm@uswlaw.com
6 **UNIVERSAL & SHANNON, LLP**
7 2240 Douglas Blvd., Suite 290
8 Roseville, CA 95661

9
10 Attorneys for Defendant **FCA US LLC**

11
12 Kevin Y. Jacobson, SBN 320532
13 kjacobson@quillarrowlaw.com
14 Sarah E. Pfeffer, SBN 331166
15 spfeffer@quillarrowlaw.com
16 e-service@quillarrowlaw.com
17 **QUILL & ARROW, LLP**
18 10900 Wilshire Blvd., Suite 300
19 Los Angeles, CA 90024

20 Attorneys for Plaintiffs,
21 **JOSE FERNANDEZ and ELEDUVINA SALAZAR**

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

19 JOSE FERNANDEZ, an individual,
20 and ELEDUVINA SALAZAR, an
individual,

21 Plaintiffs,

22 vs.

23 FCA US LLC, a Delaware Limited
24 Liability Company, and DOES 1
25 through 10, inclusive,

26 Defendants.

Case No.: [1:21-cv-00042-DAD-BAM](#)
(Removed from Madera County Superior
Court, Case No.: MCV084477)

Assigned to the Hon. Barbara A. McAuliffe

**STIPULATION AND ORDER TO
CONTINUE FACT AND EXPERT
DISCOVERY DEADLINES**

Date Filed: January 11, 2021

1 Plaintiffs JOSE FERNANDEZ and ELEDUVINA SALAZAR
2 (“Plaintiffs”), and Defendant FCA US LLC (collectively, the “Parties”), by and
3 through their respective counsel of record, hereby respectfully apply to this Court
4 for an Order continuing the date for the Parties to complete fact and expert discovery
5 and related dates.

6 WHEREAS, the Parties met and conferred pursuant to FRCP Rule 26(f)
7 on March 29, 2021, to consider the nature and bases of the claims and defenses, the
8 possibilities for promptly settling or resolving the case, and discussing the status of
9 discovery, and developing a reasonable discovery plan with the goal of continuing
10 settlement discussions;

11 WHEREAS, pursuant to the Court’s Scheduling Conference Order, the
12 date for completion of all fact discovery by the Parties is currently May 2, 2022;

13 WHEREAS, pursuant to the Court’s Initial Pretrial Scheduling Order, the
14 date for completion of all expert discovery is currently July 11, 2022;

15 WHEREAS, the Parties’ Initial Expert Witness Disclosures pursuant to
16 FRCP Rule 26(a)(2) are currently due on May 16, 2022, and the Parties’ Rebuttal
17 Expert Witness Disclosures are currently due on June 3, 2022;

18 WHEREAS, the Parties are to currently file any dispositive motion by
19 July 29, 2022;

20 WHEREAS, in light of the COVID-19 pandemic and the unavailability of
21 witnesses for depositions and experts for in-person vehicle inspections, the Parties
22 have been unable to arrange for the depositions of Plaintiffs, and Defendant’s
23 Person(s) Most Knowledgeable and third-party dealership personnel, and the vehicle
24 inspection;

25 WHEREAS, the Parties have mutually agreed that extending the
26 completion date for fact and expert discovery until a date sufficiently after these
27 depositions and the vehicle inspection has occurred will allow the Parties additional
28 opportunities to continuing ongoing settlement discussions and to avoid potentially

1 unnecessary litigation costs;

2 WHEREAS, a Final Pretrial Conference has been set for December 12,
3 2022; and the parties are to submit a Joint Pretrial Statement to the Court by
4 December 5, 2022;

5 NOW THEREFORE, the Parties agree and stipulate, subject to this
6 Court's approval, that: (1) the date for completion of all fact discovery by the Parties,
7 currently set for May 2, 2022, shall be extended by 75 days to July 18, 2022; (2) the
8 date for the Parties' Initial Expert Witness Disclosures pursuant to FRCP Rule
9 26(a)(2), currently due on May 16, 2022, shall be extended to August 1, 2022; (3)
10 the date for the Parties' Rebuttal Expert Witness Disclosures pursuant to FRCP Rule
11 26(a)(2), currently due on June 3, 2022, shall be extended to August 17, 2022; and
12 (4) the date for the Parties to file any dispositive motions, currently due July 29,
13 2022, shall be extended to October 12, 2022.

14 **IT IS SO STIPULATED.**

15 **DATED:** April 19, 2022

16 **UNIVERSAL & SHANNON, LLP**

17 *James P. Mayo*

18 _____
19 JAMES P. MAYO, ESQ.
20 JON D. UNIVERSAL, ESQ.
21 Attorneys for Defendant, **FCA US LLC**

22 **DATED:** April 19, 2022

23 **QUILL & ARROW, LLP**

24 *Kevin Y. Jacobson*
25 _____
26 KEVIN Y. JACOBSON, ESQ.
27 SARAH E. PFEFFER, ESQ.
28 Attorneys for Plaintiffs,
JOSE FERNANDEZ and
ELEDUVINA SALAZAR

ORDER

The Court, having considered the Parties' Stipulation, and good cause appearing therein, HEREBY ORDERS the scheduling deadlines in this case be modified as follows:

Non-Expert Discovery Completion Deadline: July 18, 2022;

Initial Expert Witness Disclosures: August 1, 2022;

Rebuttal Expert Witness Disclosures: August 17, 2022; and

Dispositive Motions Filing Deadline: October 12, 2022.

Pretrial Conference: March 13, 2023, at 1:30 PM in Courtroom 5 (DAD)
before District Judge Dale A. Drozd.

IT IS SO ORDERED.

Dated: April 21, 2022

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE